

ESSEX TOWN OFFICES
2313 MAIN STREET, PO BOX 355
ESSEX, NEW YORK 12936

Ronald E. Jackson, Supervisor
Alicia Kelly, Town Clerk

Town Councilors: Kenneth Hughes, James LaForest, Claire LaPine, Gretel Schueller

March 8, 2018 Regular Town Board

Supervisor Jackson called the meeting to order at 6:38 p.m. leading the Pledge of Allegiance.

Roll Call:

Councilor Hughes: X
Councilor LaForest: X
Councilor LaPine: X
Councilor Schueller: X
Supervisor Jackson: X

Supervisor Jackson offered the floor to those in attendance:

First on the Agenda: Acceptance of Minutes,

Motioned By: Seconded By:

12-28-17 End of Year Meeting:	Councilor LaPine:	Councilor Schueller:
1-4-18 Organizational Meeting:	Councilor LaPine:	Councilor Schueller:
1-4-18 Reg. Town Board Meeting:	Councilor LaPine:	Councilor Schueller:
1-17-18 Water Committee Meeting:	Not completed at time of Meeting.	
2-8-18 Reg. Town Board Meeting:	Councilor Schueller:	Councilor Hughes; w/corrections

Old Business:

The first waterboy is now connected and ready for testing, waiting on D.O.H. Official to approve particle counter. In approximately one month should be able to start Pilot Testing.

The Towns Comprehensive Plan: Councilor Hughes is still gathering information, and will have it ready for Aprils Town Board Meeting.

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Grange Committee on MOU: A special meeting has been scheduled for March 29, 2018 at 6:30 pm. To discuss who's responsible to pay the Grange Hall Bills.

Begg's Park Conversion: Hopefully NY State is going to step up and replace the property used in Begg's Park for the new pumphouse.

Advertise for a Board of Assessment Review Member: All in Favor.

RESOLUTION # 37– 2018

Approve Supervisor to sign proposal from Armstrong Appraisals, LLC to appraise Begg's Park for Begg's Park Conversion for \$3900.00

Councilor Schueller Seconded By: Councilor LaPine

Councilor Hughes: YES

Councilor LaForest: YES

Councilor LaPine: YES

Councilor Schueller: YES

Supervisor Jackson: YES

Water Project financial status: As of now we have spent slightly under a half million.

Town Credit Card: Councilor Hughes got the information and now Supervisor Jackson will do paper work for a Town Credit Card with a limit of two thousand a

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month. The credit card will be kept with the town clerk and records kept of who uses it for what purchases.

DEC Smart Growth Grant for Comprehensive Plan and/or Town Dock: Councilor Hughes is waiting for their reply.

Town Committees:

New Business:

RESOLUTION # 38– 2018

RESOLUTION OPPOSING GOVERNOR CUOMO’S PROPOSAL CONTAINED IN THE 2018 BUDGET REVIEW BILL TO CHANGE THE LAW REGARDING TAXATION OF STATE FOREST PRESERVE LANDS FROM THE CURRENT LOCALLY ASSESSED SYSTEM TO A PAYMENT IN LIEU OF TAXES (“PILOT”) SYSTEM ADMINISTERED AND CONTROLLED SOLELY BY THE STATE OF NEW YORK

Upon a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, New York State-owned lands are currently assessed by each local municipality substantially the same way as is private land and current law provides that this is the exclusive province of the municipality and its local assessors; and

WHEREAS, the Governor’s 2018 Budget Review Bill proposes to change the local assessment of state forest preserve lands in the Adirondacks and Catskills from the current locally assessed system to a Payment in Lieu of Taxes (PILOT) method capped at 2% per year, or the increase in the level of assessment by means of an allowable levy growth factor, whichever is lower; and

WHEREAS, this method will be centrally controlled by the state, and be based upon a formula, rather than increases or decreases in the actual market value of the lands as is the current methodology; and

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WHEREAS, the proposal is an extreme usurpation of the ability of local municipalities to assess and tax real property within their jurisdictions to raise revenue upon which they rely in order to provide important and necessary services to their constituencies; and

WHEREAS, this proposal will result in the loss of revenue by the local municipalities and will shift the tax burden to local tax payers;

WHEREAS, recent state land purchases in the Adirondacks has increased state ownership to more than 2.6 million acres of the 6 million acre Adirondack Park; and

WHEREAS, the state controls an additional 800,000 acres by State conservation easements purchased in the last 40 years; and

WHEREAS, the residents, businesses and municipalities located within the Adirondack Park are already unreasonably and unfairly constrained and prohibited from using the vast majority of the property located in the park for commercial, industrial, and even residential purposes which has resulted in the inability of municipalities within the Adirondack Park to attract and sustain business and development resulting in extreme and unfair loss in tax revenue; and

WHEREAS, in addition to the current prohibitive laws which restrict business, development and growth in the Adirondack Park, the State of New York has increasingly saddled its municipalities with state mandates expecting them to find ways to fund these mandates with little or no help from the state; this coupled with the current law which requires no greater than a 2% tax cap on municipal budgets; and

WHEREAS, the most economically beneficial use of state forest preserve land is prohibited by the New York State Constitution "Forever Wild" clause; and

WHEREAS, state conservation easement lands cannot be used for economically beneficial uses, other than forestry and recreation; and

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WHEREAS, the NYS Real Property Tax Law has required the state to pay taxes on forest preserve lands, in part, in recognition of the negative impact of “Forever Wild” forest preserve lands on the economies of municipalities; and

WHEREAS, in the past, local governments have been able to support land acquisition proposals because of the certainty created by the Ad Valorem Tax payments; and

WHEREAS, Essex County and its municipalities are concerned by change from the current means of assessing state forest preserve lands on Ad Valorem basis to a capped PILOT system will be first step to phasing out payments of forest preserve lands to local municipalities and school districts which would catastrophically affect the ability of the municipalities and school districts to function and is considered as one more mechanism by the state to insure that business and development is curtailed in the Adirondack Park eventually resulting in the migration of the population from the Park.

BE IT RESOLVED, that the Essex Town Board is vehemently and stalwartly opposed to the 2018 Budget Review proposal to convert forest preserve taxation from the current municipal based assessment method to a capped Payment in Lieu of Taxes (PILOT) program and strongly and with all sense of urgency implores the New York State Legislature and Governor Cuomo to continue the current means of assessment of state forest preserve lands by the local municipalities; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Elizabeth O’C. Little, Assemblyman Daniel Stec, the New York Association of Counties, DEC Region 5 Director Bob Stegemann, DEC Region 6 Director, Judy Drabicki, the 12 Counties of the Adirondacks, the Adirondack Park Agency and the Association of Towns and Villages.

Moved By: Councilor LaPine

Seconded By: Councilor LaForest

Councilor Hughes: YES

Councilor LaForest: YES

Councilor LaPine: YES

Councilor Schueller: YES

Supervisor Jackson: YES

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RESOLUTION # 39– 2018

**RESOLUTION OPPOSING GOVERNOR CUOMO’S PROPOSAL CONTAINED IN THE 2018
BUDGET REVIEW BILL TO AMEND LAWS REGARDING THE CURRENT 480 & 480-A
FOREST EXEMPTION AND TO ADD A NEW 480-B TAXATION OF FOREST LAND UNDER
A FOREST PRACTICE PROGRAM OR FOREST CERTIFICATION PROGRAM KNOWN AS
THE EMPIRE FORESTS FOR THE FUTURE INITIATIVE**

Upon a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, New York State currently has 2 Forest Exemptions, 480 Forest and Reforested Lands & 480-a Taxation of Forest Land, which are currently administered by each local municipality and its local assessors; and

WHEREAS, the Governor’s 2018 Budget Review Bill propose to add an additional 480-b Taxation of Forest Land under a Forest Practice Program or Forest Certification Program; and

WHEREAS, this proposal reduces the eligible tract from the current 50 acres of forest lands to 25 acres of forest land or other open space; and

WHEREAS, the proposal grants a 70% reduction of the assessed value on eligible land under the Forest Certification Program and a 40% reduction of the assessed value on eligible land under the Forest Management Practice Plan; and

WHEREAS, this proposal severely lowers the qualifications for an approved forest stand;
and

WHEREAS, the proposal has the potential to dramatically reduce the taxable value of the

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local taxing jurisdictions; and

WHEREAS, local municipalities should be reimbursed for the full loss of the tax base, not the proposed above 1%; and

WHEREAS, this proposal should be a local option to municipalities; and

WHEREAS, New York State currently owns more than 50%, 480 is approximately 4% and 480-a is 11% of the total acreage of Essex County; and

WHEREAS, recent state land purchases in the Adirondacks has increased state ownership to more than 2.6 million acres of the 6 million acre Adirondack Park; and

WHEREAS, the state controls an additional 800,000 acres by State conservation easements purchased in the last 40 years; and

WHEREAS, the residents, businesses and municipalities located within the Adirondack Park are already unreasonably and unfairly constrained and prohibited from using the vast majority of the property located in the park for commercial, industrial, and even residential purposes which has resulted in the inability of municipalities within the Adirondack Park to attract and sustain business and development resulting in extreme and unfair loss in tax revenue; and

WHEREAS, in addition to the current prohibitive laws which restrict business, development and growth in the Adirondack Park, the State of New York has increasingly saddled its municipalities with state mandates expecting them to find ways to fund these mandates with little or no help from the state; this coupled with the current law which requires no greater than a 2% tax cap on municipal budgets; and

WHEREAS, The Town Board of Essex likes the idea of helping young people to be able to buy and keep property, but not at the expense of the rest of the taxpayers and

WHEREAS, New York State has failed to put enforcement teeth in the previous 480

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programs and local taxpayers have been burdened with the expense this has caused and we have no reason to expect the proposed 480 B to be any different, so

BE IT RESOLVED, that the Essex Town Board is vehemently and stalwartly opposed to Governor Cuomo's proposal contained in the 2018 Budget Review Bill to amend laws regarding the current 480 and 480-a Forest Exemption and to add a new 480-b Taxation of Forest Land under a Forest Practice Program or Forest Certification Program known as The Empire Forests for the Future Initiative; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Elizabeth O'C. Little, Assemblyman Daniel Stec, the New York Association of Counties, DEC Region 5 Director Bob Stegemann, the 12 Counties of the Adirondacks, the Adirondack Park Agency and the Association of Towns and Villages.

Moved By: Councilor LaForest

Seconded By: Councilor LaPine

Councilor Hughes: NO
Councilor LaForest: YES
Councilor LaPine: YES
Councilor Schueller: NO
Supervisor Jackson: YES

Combined water and sewer meeting to review rates. A meeting will be set up at Aprils Town Board Meeting.

Everyone is in favor of Tom Stransky to cut trees on town property line.

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Sprint wants to change equipment on Town Water Tower, Ron's only request is Sprint recheck the Water Tower structure strength before installation.

We have our annual report from Cedarwood and am happy with the report.

RESOLUTION # 40– 2018

Allow the Supervisor to apply for the NYSEG energy-efficient lighting Incentive for schools and Municipal Buildings that will save up to 70% of the costs. This will commit the Town to pay for the balance of the costs from budgeted funds.

Moved By: Councilor Schueller Seconded By: Councilor LaPine

Councilor Hughes: YES

Councilor LaForest: YES

Councilor LaPine: YES

Councilor Schueller: YES

Supervisor Jackson: YES

Town Shed Door: All in favor to replace the South East Town Shed overhead door and discussion on future repairs needed at the Town Shed.

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Announcing the Household Hazardous Waste Day in Lewis is set for July 14,2018.

RESOLUTION # 41– 2018

Adoption of the NYS Deferred Compensation Plan

WHEREAS, the Town of Essex wishes to adopt the Deferred Compensation Plan for the Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

WHEREAS, the Town of Essex is a local public employer eligible to adopt the Plan pursuant to Section 5 of the NYS Finance Law: and

WHEREAS, the Town of Essex has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Essex by providing eligible employees with a convenient and tax-favorable method of saving on a regular and long-term basis and thereby provide for their retirement

Moved By: Councilor LaForest Seconded By: Councilor Schueller

Councilor Hughes: YES
Councilor LaForest: YES
Councilor LaPine: YES
Councilor Schueller: YES
Supervisor Jackson: YES

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RESOLUTION # 42– 2018

Give the Supervisor permission to sign the papers to secure a DASNY grant to purchase two Defibrillator monitors for Willsboro-Essex EMS.

Moved By: Councilor LaForest Seconded By: Councilor Schueller

Councilor Hughes: YES
Councilor LaForest: YES
Councilor LaPine: YES
Councilor Schueller: YES
Supervisor Jackson: YES

RESOLUTION # 43– 2018

Refinance Water Loan #2 from the USDA with Champlain National Bank for 4% with no additional charges for the loan with USDA with a Principal Balance of \$29,945.03 with a maturity date of 03/02/2033.

Moved By: Councilor Hughes Seconded By: Councilor Schueller

Councilor Hughes: YES
Councilor LaForest: YES
Councilor LaPine: YES
Councilor Schueller: YES
Supervisor Jackson: YES

A Motion was tabled for Cedarwood to look at Masonry problem at The Belden Noble Memorial Library, until we get an estimate of what they will charge.

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Abstract of Bills: Ron recommended that we change the cutoff date for Bills to be put on the Abstract, so all Board Members will have the opportunity to review the Abstract.

Supervisor County Report: Discussion about University games that will help with the county taxes.

Supervisor Jackson gave the public the second chance to address the Board, Kathrine Preston spoke that we all pay for things in this Town we don't use and the Grange has done a lot for this Town and she feels the Town should use tax money to support the Grange. The Board Members and Supervisor Jackson all replied it will be discussed in the meeting March 29 at 6:30 pm

Meeting adjourned: 9:04 pm

Respectfully Submitted,

Alicia Kelly

jz